

November 15, 2004

Memo to Lawrence-Douglas County Planning Staff and Planning Commission: From the LWV

Land Use Committee

Enclosed is a CD with the most recent version of the Lawrence Land Development Code, Planning Commission Version dated November 17, 2004. This was downloaded November 13, 2004 from the lawrenceplanning.org/documents website, and annotated with the same annotations as previous versions you have received from the Land Use Committee excluding those where the Code has been corrected.

The annotation PDF page numbers are listed on the title page.

This has been submitted as documentation for the letter to the Planning Commission from the Land Use Committee, November 15, 2004.

PLEASE NOTE: ANNOTATED PAGES ARE LISTED BELOW. TO REACH THESE ON THE SCREEN, HIT CONTROL+N AND TYPE IN THE DESIRED PAGE NUMBER IN THE WINDOW THAT COMES UP. THEN HIT "ENTER" AND THE APPROPRIATE PAGE APPEARS ON THE SCREEN.

Land Development Code

Downloaded 11-13-04 to
compare with previous
versions.



Planning Commission Version November 17, 2004

Adoption Date: Ordinance No.
Revision Dates:

This is a copy of this Code, downloaded from the lawrenceplanning.org/documents website November 13, 2003, with our final annotations. This is the documentation for the letter presented by the Lawrence League Land Use Committee to the Planning Commission November 15, 2004.

The following pages have annotations, listed by PDF page numbers:

1, 12, 19, 59, 65, 73, 78, 84, 96, 115, 119, 121, 122, 123, 146, 152, 166, 193, 205, 216, 226, 260, 263, 297, 302.

[Development Activities](#) may be carried out in accordance with the standards in effect at the time of application. Any re-application for an expired permit shall meet the standards in effect at the time of re-application.

(c) Permits Issued Before January 24, 2005

Any use or [Development Activity](#) for which a permit was duly issued before January 24, 2005 may be completed in conformance with the issued permit and other applicable permits and conditions, and such regulations that were in effect at the time the permit was issued, even if such use or [Development Activity](#) does not fully comply with provisions of this Development Code. If the use or [Development Activity](#) is not commenced or completed in accordance with the applicable permit terms, the issuing [Agent](#) may, upon receipt of a written request and payment of the required fee, grant one 6-month time extension. If the use or [Development Activity](#) is not commenced or completed within the time allowed under the original permit or any extension granted, then the use or [Development Activity](#) may be completed or occupied only in strict compliance with the requirements of this Development Code.

(d) Preliminary Plats Approved Before January 24, 2005

Preliminary plats approved before January 24, 2005 will remain valid until the approval expires even if the approved preliminary plat does not fully comply with the provisions of this Development Code. Preliminary plat approval expires one year after the date of approval unless all applicable conditions have been met and a complete final plat application has been filed. If preliminary plat approval expires, a new preliminary plat application shall be submitted and reviewed in accordance with this Development Code.

(e) Zoning District Names

The [Official Zoning District Map](#) designations in effect before January 24, 2005 are converted as follows:

Previous Map Designation	New Map Designation
RS, Single-Dwelling Residential Districts	
RS-A	RS40
RS-E	RS20
RS-1	RS10
RS-2	RS7
None (New)	RS5
None (New)	RS3
RSO Single-Dwelling Residential-Office Districts	
RO-1B and RO-2	RSO
RM, Multi-Dwelling Residential Districts	
RMD and RM-1	RM12
None (New)	RM15
RM-2 and RM-2A	RM24
RM3 and RD	RM32
RMO, Multi-Dwelling Residential-Office Districts	
RO-1 and RO-1A	RMO

In cases where duplex units are separately owned, would it be possible to rezone these to an RS district such as RS3 and then allow them to be replatted as "attached housing?"

District Name	Map Symbol	Corresponding Comprehensive Plan Designation
University * based on KU/City agreement	U or U[KU]*	NA
Planned Unit Development	PUD[name]	NA
Planned Residential Development	PRD[name]	NA
Planned Commercial Development	PCD[name]	NA
Planned Industrial Development	PID[name]	NA
Urban Reserve	UR	NA
Open Space	OS	NA

20-202 RS, Single-Dwelling Residential Districts

(a) Purpose

Add: "detached." Other types of single dwellings require special use permits or special approval; e.g., "attached," "accessory" (20-502).

- (1) The primary purpose of the RS Districts is to accommodate single detached Units on individual Lots. The ~~Districts~~ are intended to create, maintain and promote housing opportunities for individual households, although they do permit nonresidential uses that are compatible with residential neighborhoods.
- (2) The RS Districts are primarily differentiated on the basis of required minimum Lot size, as provided below:
 - (i) RS40, Single-Dwelling Residential District – 40,000 square feet.
 - (ii) RS20, Single-Dwelling Residential District – 20,000 square feet.
 - (iii) RS10, Single-Dwelling Residential District – 10,000 square feet.
 - (iv) RS7, Single-Dwelling Residential District – 7,000 square feet.
 - (v) RS5, Single-Dwelling Residential District – 5,000 square feet.
 - (vi) RS3, Single-Dwelling Residential District – 3,000 square feet.

(b) Principal Uses

Principal Uses are allowed in RS Districts in accordance with the Use Table of Article 4.

(c) Accessory Uses and Structures

Accessory Uses and Structures are permitted by right in connection with any lawfully established Principal Use, except as otherwise expressly provided in this Development Code. Also, unless otherwise stated, Accessory Uses are subject to the same regulations as the Principal Use. Accessory Uses and Structures, including Accessory Dwelling Units and Home Occupations, are subject to the regulations of Sec. 20-502.

(d) Density and Dimensional Standards

Unless otherwise expressly stated, all development in RS Districts shall comply with the Density and Dimensional Standards of Article 6.

CLUSTER DWELLINGS SHOULD REQUIRE A SPECIAL USE PERMIT WHEN USED IN MULTIPLE FAMILY DISTRICTS.

Use Table

20-402 Residential District Use Table															
KEY: A = Accessory P = Permitted S = Special Use * = Standard Applies – Use not allowed		RS40	RS 20	RS 10	RS7	RS5	RS3	RSO	RM12	RM15	RM24	RM32	RMO	Use Specific Standard	
RESIDENTIAL															
Household Living	Accessory Dwelling	A*	A*	A*	A*	–	–	–	–	–	–	–	–	20-502(d)	
	Attached Dwelling	–	–	S*	S*	S*	S*	S*	P*	P*	P*	P*	P*	20-501(c)	
	Cluster Dwelling	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	20-702	
	Detached Dwelling	P	P	P	P	P	P	P	S	S	S	S	S	20-501(h)	
	Duplex	–	–	–	–	–	–	P	P	P	P	P	P	20-501(c)	
	Manufactured Housing Park	–	–	–	–	–	–	–	–	S*	S*	S*	–	20-501(n)	
	Mfg. Homes, Residential-Design	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	20-502(m)	
	Multi-Dwelling Structure	–	–	–	–	–	–	–	P	P	P	P	P*	20-501(q)	
	Zero Lot Line Dwelling	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	20-501(ff)	
	Home Occupation, Type A or B	A	A	A	A	A	A	A	A	A	A	A	A	20-502(f)	
Group Living	Dormitory	–	–	–	–	–	–	–	–	–	–	–	–		
	Fraternity or Sorority House								P	P	P	P	P		
	Group Home, General [11 or more]	S	S	S	S	S	S	S	S	S	S	S	S		
	Group Home, Limited [10 or fewer]	P	P	P	P	P	P	P	P	P	P	P	P		
	Retirement House and Assisted Living	S	S	S	S	S	S	S	P	P	P	P	P		
PUBLIC AND CIVIC															
Community Facilities	Adult Day Care Home	S	S	S	S	S	S	S	P	P	P	P	P		
	Cemeteries	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	20-510(e)	
	College/University	S	S	S	S	S	S	S	S	S	S	S	S		
	Cultural Center/ Library	S	S	S	S	S	S	S	S	S	S	S	S		
	Day Care Center	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	20-501(g)	
	Day Care Home, Class A	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	20-501(g)	
	Day Care Home, Class B	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	20-501(g)	
	Detention	–	–	–	–	–	–	–	–	–	–	–	–		
	Lodge, Fraternal & Civic Assembly	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	20-501(l)	
	Postal Service	–	–	–	–	–	–	–	–	–	–	–	–		
	Public Safety	S	S	S	S	S	S	S	S	S	S	S	S		
	School	S	S	S	S	S	S	S	S	S	S	S	S		
	Undertaking/Cremating	–	–	–	–	–	–	–	–	–	–	–	–		

20-403 Nonresidential District Use Table															
KEY: A = Accessory P = Permitted S = Special Use * = Standard Applies – Use not allowed		CN1	CN2	CO	CD	CC	CR	IBP	IL	IG	OS	GPI	H	U	Use Specific Standard
	Business Support	–	P	P	P	P	P	P	P	P	–	–	A	A	
	Communications	–	P	P	P	P	P	P	P	–	–	–	A	A	
	Construction Sales and Service	–	–	–	–	P	P	S	P	P	–	–	A	A	
	Food and Beverage	P*	P	P*	P	P	P	P	P	–	–	–	A	A	20-501(k)
	Personal Convenience	P*	P	–	P	P	P	P	P	–	–	–	A	P	20-501(t)
	Personal Improvement	P*	P	–	P	P	P	P	P	–	–	A	A	P	20-501(u)
	Repair Service, Consumer	P*	P	–	P	P	P	P	P	–	–	–	–	A	20-501(w)
	Retail Sales, General	P*	P	P*	P	P	P	P	P	–	–	–	A	P	20-501(z)
	Retail Establishment, Large	–	–	–	–	P*	P*	–	–	–	–	–	–	–	20-501(aa)
	Retail Establishment, Medium	–	P*	–	P*	P*	P*	–	–	–	–	–	–	–	20-501(aa)
	Retail Establishment, Specialty	–	P*	–	P*	P*	P*	–	–	–	–	–	–	–	20-501(aa)
Sexually Oriented Business	Sexually Oriented Media Store	–	–	–	P*	P*	P*	–	–	P*	–	–	–	–	20-501(cc)
	Mixed Media Store	P*	P	P*	P	P	P	P	P	–	–	–	–	–	20-501(cc)
	Physical Sexually Oriented Business	–	–	–	–	–	–	–	–	–	–	–	–	–	
	Sex Shop	–	–	–	–	P*	P*	–	–	P*	–	–	–	–	20-501(cc)
	Sexually Oriented Theater	–	–	–	–	P*	P*	–	–	P*	–	–	–	–	20-501(cc)
Transient Accommodation	Bed and Breakfast	P*	–	–	–	–	–	–	–	–	–	–	–	A	20-501(d)
	Campground	–	–	–	–	P	P	–	–	–	S	–	–	A	
	Hotel, Motel, Extended Stay	–	–	–	P	P	P	–	–	–	–	–	A	A	
Vehicle Sales & Service	Cleaning (e.g., Car Wash)	–	S	–	–	P	P	P	P	P	–	–	–	A	
	Fleet Storage	–	–	–	–	P	P	P	P	P	–	–	A	A	
	Gas and Fuel Sales	–	S	–	–	P	P	P	P	P	–	–	–	–	
	Heavy Equipment Repair	–	–	–	–	P	P	P	P	P	–	–	–	A	
	Heavy Equipment Sales/Rental	–	–	–	–	P	P	P	P	P	–	–	–	–	
	Inoperable Vehicles Storage	–	–	–	–	P	P	P	P	P	–	–	–	–	
	Light Equipment Repair	–	S	–	S	P	P	P	P	P	–	–	–	A	
	Light Equipment Sales/Rental	–	–	–	S	P	P	P	P	P	–	–	–	A	
	RV and Boats Storage	–	–	–	–	P	P	P	P	P	–	–	–	A	
INDUSTRIAL															
Industrial Facilities	Explosive Storage	–	–	–	–	–	–	–	–	P	–	–	–	–	
	Industrial, General	–	–	–	–	–	–	S	P	P	–	–	–	–	
	Industrial, Intensive	–	–	–	–	–	–	–	–	P	–	–	–	–	

Explosive storage doesn't have any restrictions listed. It should require a special use permit.

(g) Day Care Establishments

(1) Day Care Homes

- (i) Class A Day Care Homes are permitted as an [Accessory Use](#) in R [Districts](#), provided that written notification is given to all adjacent [Landowners](#) before beginning operation of the day care home. The notice shall State the proposed use and times of operation.
- (ii) Class B Day Care Homes require Special Use approval in all R [Districts](#) and the CN1 [District](#).

(2) Day Care Centers

Day Care Centers shall maintain a wall or fence at least 4 feet in height enclosing any play area and any other property in an R [District](#). Day Care Centers require Special Use approval in all R [Districts](#), except when they are an [Accessory Use](#) to a permitted school, religious institution, or allowed public or civic use type (see table 20-402).

(h) Detached Dwelling

A detached dwelling shall only be permitted in an RM or RMO district by approval of a special use permit. [Cluster housing is detached, and should also require a Special Use Permit when allowed in RM districts.](#)

(i) Eating and Drinking Establishments Involving Alcoholic Beverages

The restrictions in (1) and (2) shall apply to a licensed [Premises](#) use. The fast order food establishments in (3) and (4) are not permitted to be a licensed [Premises](#):

(1) Accessory Uses to Hotels

A hotel with 50 or more rooms may have a restaurant as an [Accessory Use](#); a restaurant may be permitted as a second [Principal Use](#) on the same property as a smaller hotel, subject to all of the other conditions applicable to the use and the district in which it is located, including separate [Parking](#) requirements.

A hotel with 100 or more rooms may have a bar as an [Accessory Use](#), subject to all of the other conditions applicable to the use and the district in which it is located, including separate [Parking](#) requirements.

A hotel with 150 or more rooms may have a nightclub or other live entertainment as an [Accessory Use](#).

(2) Accessory Bars

In any [Zoning District](#) allowing a Restaurant as a permitted use and allowing an Accessory Bar, the Accessory Bar shall be allowed only subject to the following standards:

- (i) the accessory bar shall not constitute more than 25% of the [Floor Area](#) of the eating & drinking establishment;
- (ii) the accessory bar shall not have a separate [Street](#) entrance; and
- (iii) if at any time the sales of alcoholic beverages in the eating & drinking establishment constitute more than 55% of gross sales for any month or longer measuring period, the bar shall be deemed to be a [Principal Use](#) and the operator shall be subject to penalties under this Development Code for operation of an unlawful use.

(xi) Boat and Trailer Storage

Each [Manufactured Housing Park](#) shall provide [Screened](#) areas for the storage of boats and trailers (travel, horse, or utility) with an aggregate size of at least 100 square feet per [Mobile Home](#) space. This requirement shall be waived if the covenants filed for the [Manufactured Housing Park](#) prohibit the storage of boats and trailers.

(o) Mining

Mining, including extraction of clay, gravel, or sand; quarrying of rock or stone; earth moving and excavation, including removal of topsoil; and depositing of construction material, clay, earth, gravel, minerals, rock, sand or stone on the ground, will not be construed to be an allowed use in any [District](#) but IG, except as provided below:

(1) A Special Use Permit for a temporary basis.

Mining may be approved as a Special Use that is to be allowed on a temporary basis in accordance with the Special Use procedures of Sec. 20-1306. Such a Special Use approval is revocable and valid for specified periods of time, to permit mining or extractions from or deposits on the earth of rock, stone, gravel, sand, earth, minerals, or [Building](#) or construction materials; and,

(2) The following activities shall not be considered mining:

- (i) Excavations for the foundation or [Basement](#) of any [Building](#) or for a swimming pool for which a [Building Permit](#) has been issued, or deposits on the earth of any [Building](#) or construction materials to be used on-site in a [Structure](#) for which a [Building Permit](#) has been issued.
- (ii) Grading of any [Parcel](#) of land for a permitted use where no bank of more than 4 feet in vertical height is left standing and exposed.
- (iii) Grading in a subdivision that has been approved by the City in accordance with Article 8, Subdivision Regulations, of this development code and any amendments thereto.

This is a loophole. This use needs a time limit; otherwise, it could be interpreted to be a perpetually allowable use.

- (iv) Crushing of excavated stone on-site for use within the development or hauled off-site for another construction-related use.

- (3)** Any extractive operation existing and operating as such on January 24, 2005 shall conform to the provisions set forth herein within one year of the adoption of this Development Code.

(p) Mixed Media Stores

(i) Standards that Apply in CN1 District

In addition to the district standards, a mixed media store shall be permitted in the CN1 District; however, no drive-through windows shall be permitted.

(ii) Standards that Apply in CO District

In addition to the district standards, a mixed media store shall be permitted in the CO District provided that the gross [Floor Area](#) shall not exceed 5,000 square feet.

(z) Retail Sales, General

(1) Standards that Apply in CN1 District

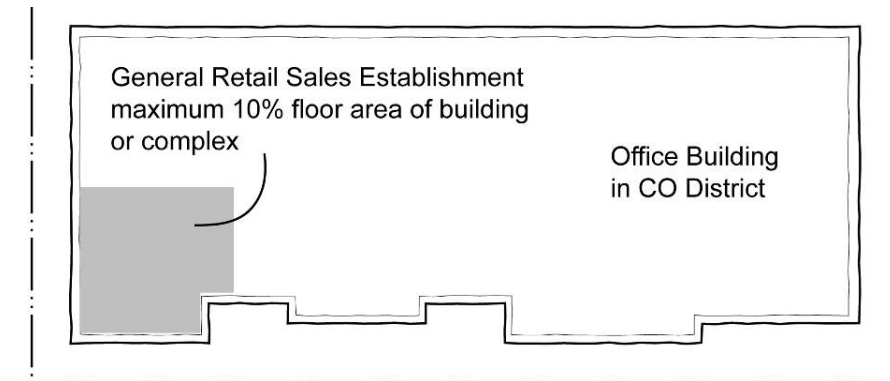
A general retail sales establishment shall be permitted in the CN1 District provided that the gross **Floor Area** shall not exceed 3,000 square feet.

(2) Standards that Apply in CC District

A general retail sales establishment shall be permitted in the CC District provided that the gross **Floor Area** shall not exceed 20,000 square feet.

(3) Standards that Apply in CO District

A general retail sales establishment is permitted in the CO District provided that the total **Floor Area** does not exceed 10 percent (10%) of the total gross **Floor Area** of the office **Building** or of all **Buildings** in the office complex in which the use is located.



(aa) Retail Establishments

(1) Purpose

These standards are intended to ensure that development of retail establishments, including large, medium, and specialty sales establishments, is compatible with its surrounding area and contributes to the unique community character of Lawrence. All development and re-development of retail establishments shall exhibit uniform design characteristics based on adopted commercial design development standards.

Please give reference for where these design standards are listed.

(2) Retail Market Study

A Commercial Center proposed for more than **175,000** gross square feet of commercial space is required to have a market study submitted at the time of application for rezoning in accordance with Chapter 6 of the Comprehensive Land Use Plan.

The 'trigger' size for a market study is too high. Please rethink this. NOTE: THIS IS RECOMMENDED FOR CHANGE TO 150,000 SF.

(bb) Scrap and Salvage Operations

- (1)** All exterior storage and processing areas abutting an **Arterial** or **Collector Street** shall be **Screened** by a solid masonry wall or solid wood fence at least 6 feet in height and be designed and located to prevent visibility of stored or stacked material and such fence shall be located no closer than 15 feet to any **Street** right-of-way. The fence shall have a gate to permit **Access** for maintenance of property and **Landscaping** on both sides of the fence. In no

(2) Subordinate Nature

- (i) **Accessory Uses** shall be a subordinate part of a **Principal Use** and be clearly incidental to a **Principal Use**.
- (ii) **Accessory Structures** shall be of secondary importance and subordinate to the **Principal Building** on a site.

(3) Density and Dimensional Standards

Unless otherwise expressly stated, the **Setback**, height, and **Building** coverage standards of the **Base District** apply to both principal and **Accessory Structures** (See **Density** and Dimensional Standards, Article 6). There shall be no **Setback** required between an **Accessory Structure** and an **Alley** when **Access to the structure is parallel to the Alley**, except that no part of the **Structure** shall overhang or otherwise encroach onto the **Alley**.

(4) Building Coverage

- (i) The combined footprint of all detached covered **Accessory Structures** may not exceed the footprint of the **Principal Building**, or 20% of the total area of the **Lot**, whichever is greater.
- (ii) A detached covered **Accessory Structure** may not have a larger footprint than the **Building** footprint of the **Principal Building**.

(5) Height of Accessory Structures

Unless otherwise expressly stated, **Accessory Structures** may not exceed 25 feet in height, or the height of the **Principal Building** on the same **Lot**, whichever is less.

(c) Accessory Dwelling Units (permitted only in RS40, RS20, RS10, RS7, CN1, GPI, H, and U)**(1) Purpose**

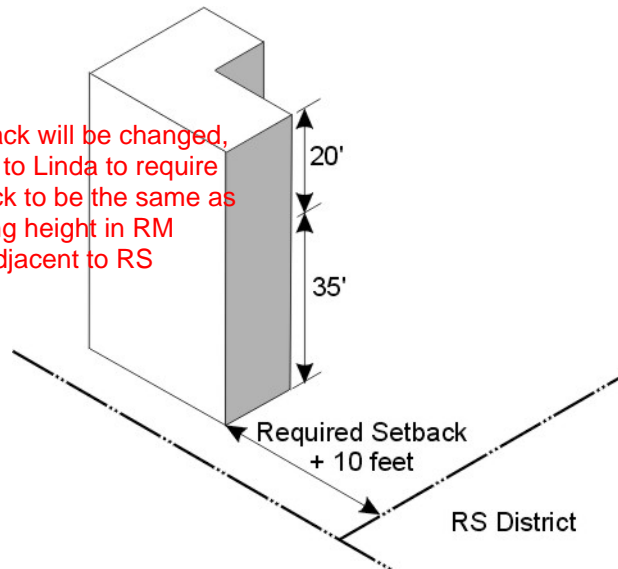
Accessory **Dwelling Units** are allowed in certain situations to:

Is this a requirement for all accessory dwelling units?

- (i) create new housing units while preserving the look and scale of single-**Dwelling** neighborhoods; allowed in RS zones, only as part of an adopted Urban Conservation District, for a defined neighborhood;
- (ii) allow more efficient use of the City's existing housing stock and **Infrastructure**;
- (iii) provide a mix of housing that responds to changing **Family** needs and smaller households;
- (iv) provide a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship and services; and
- (v) provide a broader range of accessible and more affordable housing.

This seems to apply to non-residential districts adjacent to RS districts, as well.

This setback will be changed, according to Linda to require the setback to be the same as the building height in RM districts adjacent to RS districts.



(3) Exceptions

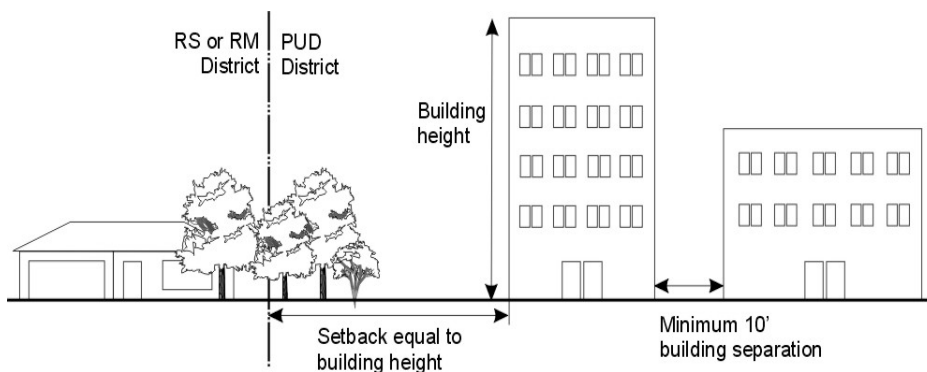
- (i) Except as specifically provided herein, the height limits of this Development Code do not apply to any roof [Structures](#) for housing elevators, stairways, tanks, ventilating fans, solar energy [Collectors](#), or similar equipment required to operate and maintain a [Building](#), provided that such [Structures](#) do not cover more than 33% of the roof area or extend over ten (10) feet in height above the maximum height allowed by the [Base Districts](#).
- (ii) Except as specifically provided herein, the height limitations of this Development Code do not apply to radio [Antennas](#), television [Antennas](#), church spires, steeples, clock towers, water towers, flag poles, construction cranes, or similar attached and non-habitable [Structures](#), which may be erected above the height limit, nor to fire or parapet walls provided that such walls may not extend more than five (5) feet above the roof.
- (iii) Telecommunication Towers may exceed the [Zoning District](#) height limit if reviewed and approved as a Special Use in accordance with Sec. 20-1306.

(4) Setbacks

The minimum **Setback** standards of the **Base District** may be reduced by the City Commission, provided that:

- (i) **Buildings** located within the PD, and along any **District** boundary that is adjacent to RS and or RM **Zoning Districts** shall be **Setback** a distance at least equal to the height of the proposed **Building**; and
- (ii) All exterior walls of detached **Buildings** shall be separated by a minimum distance of 10 feet.
- (iii) Balconies shall not be located along peripheral site setbacks adjacent to RS zoned properties unless privacy screening and **Landscaping** is included in the design.

Privacy screening must be defined in order to be effective. Please see suggested performance standard in the annotation below.



(g) Height

The City Commission may increase maximum height limits of the **Base District** if the City Commission determines that such an increase is warranted to support the public benefit likely to result from the proposed development. Height increases shall be permitted only for **Buildings** set back from the boundary of the PD by the height of the proposed **Building** plus 25 feet, so that the primary impact of the increased height is on other property in the PD.

(h) Balconies

Balconies above the second story of a multi-**Dwelling Unit Building** are prohibited along the exterior of a Planned Development unless the **Building** setback is increased to at least double the required minimum setback and **Landscaping** is enhanced with two or more of the following features: a minimum 4' **Berm**, a solid screening fence (6' minimum height) or a masonry wall (6' minimum height). This provision shall apply only to those exterior sides of a Planned Development that are adjacent to RS zoning or to detached **Dwelling Units**.

(i) Parking and Loading

The City Commission may decrease the number of off-**Street Parking** and loading spaces required. **Parking** and loading areas shall comply with all otherwise applicable design standards.

(j) Buffer Areas

Development within the PD and within 60 feet of the outer boundary of the PD shall be limited to the following:

The increased landscaping may not provide the needed privacy. Distance provides the light, but the orientation of the balcony is what counts to provide privacy. The only exception to this would be a COMPLETELY VIEW IMPENETRABLE screen or barrier that would interrupt the sight line of a six-foot person standing next to the railing on the top balcony.

(l) Additional Requirements and Standards

(1) Unified Control

No application for a PD will be accepted or approved unless all of the property included in the application is under unified [Ownership](#) or a single entity's control.

(2) Street Access

PDs that will generate 250 or more average daily trips (based on traffic generation estimates of the Institute of Transportation Engineers' Trip Generation Manual, 7th edition, or subsequent edition, or based on local estimates provided by the City) shall have [Access](#) to an [Arterial](#) Street using a [Frontage](#) or rear [Access](#) road or by taking direct access to a Collector Street.

Individual residential [Building](#) lots shall not take direct [Access](#) to an [Arterial](#) street or a non-residential collector street. Each individual residential lot shall have frontage on a public or private street that has been constructed to the public street standards of the City.

(3) Sidewalks

Sidewalks built to City specifications shall be built along both sides of all public and private [Streets](#). On [Local Streets](#), one sidewalk shall be at least 4 feet in width; the other shall be at least 5 feet in width.

(4) Landscaping

The [Landscaping](#) and [Screening](#) standards of Article 10 apply to PDs. In addition, any part of the development area not used for [Buildings](#), [Structures](#), [Parking](#), [Streets](#), or [Accessways](#) shall be landscaped with a sufficient mixture of grass, vegetative [Ground Cover](#), trees, and [Shrubs](#), except those areas designated to be preserved with natural vegetation.

(5) Preservation of Natural Features

Mature stands of trees or individually significant mature trees, vegetative cover, watercourses and other natural site features shall be preserved to the greatest extent possible. At a minimum the standards of Article 10 apply.

(6) Zoning Map

Approved PDs shall be identified on the [Official Zoning District Map](#).

(7) Additional Conditions

The [Planning Commission](#) may recommend, and the City Commission may impose, other conditions and standards, as deemed necessary to ensure consistency with the purposes of this section and those of this Development Code. Such conditions may include limitations on the types of uses, [Structures](#) or [Building](#) types to be allowed in the PD. When such conditions are imposed, an application will not be deemed approved until the applicant has complied with all of the conditions of approval.

(m) Additional Standards for PDs with Residential and Nonresidential Uses

Non-residential uses in PDs containing both residential and nonresidential uses shall be designed, located, and oriented on the site so that such uses are directly accessible to residents of the PD. For the purposes of this Section, directly accessible shall mean pedestrian/[Bicycle](#) and automobile [Access](#) by way of improved sidewalks or paths and [Streets](#) that do not involve leaving the PD or using a major thoroughfare. "Directly accessible" does not necessarily mean that nonresidential

Please add: "In any event, no access shall be allowed to a local street in an existing residential development that increases the traffic count by more than 10% above that which an area equivalent to that of the PD in the same RS district would otherwise have generated.

OR DOES THIS PRECLUDE ACCESS ONTO A LOCAL STREET?

uses need to be located in a particular location but that the siting of such uses considers the accessibility of the residential component of the PD to the nonresidential use.

20-702 Cluster Housing Projects

(a) Purpose

The cluster housing regulations of this section have several potential public benefits. They:

- (1) provide flexible development options where the standard rectilinear Lot pattern is not practical because of physical constraints;
- (2) promote the preservation of open and natural areas;
- (3) allow for Common Open Space within a development project while still achieving the Density of the Base District; and
- (4) support reductions in development costs.

(b) General

[Cluster housing should be allowed by right only in those districts that require detached dwellings by right and require enough initial yard space to allow for smaller lots.

If cluster dwellings are allowed in all multiple family districts, as well, there will be no predictability to future home buyers buying into these projects in multiple family districts. In non-single family districts, they should require special use permits in the same fashion as attached housing.]

- (1) A Cluster Housing Project is a subdivision containing five (5) or more detached Dwellings each on it's own lot with some or all of the Lots reduced below required minimum Lot Area and width requirements, but where the overall project complies with the maximum Density standard of the Base District. Cluster Housing Projects require that planning for Lots and the locations of houses on the Lots be done at the same time. Because the allowable Building envelope of each house is predetermined, greater flexibility in development standards is possible while assuring that the single-Dwelling character of the Zoning District is maintained.
- (2) Under the cluster housing option, a subdivision can contain no more Lots than would otherwise be allowed for a conventional subdivision in the same Zoning District, but the individual Lots within the development can be smaller than required in a conventional subdivision. Smaller Lot sizes within a Cluster Housing Project are required to be offset by a corresponding increase in Common Open Space.

Please add: "single family"

(c) Where Allowed; Procedure

Cluster Housing Projects are allowed by-right in all residential Zoning Districts and in the CN1 District, as provided below.

- (1) In RS Districts and the CN1 District, Cluster Housing Projects shall not include more than 50 Dwelling Units. Larger projects in said Districts are subject to the Planned Development regulations of Sec. 20-306.
- (2) Cluster Housing Projects allowed by-right will be reviewed for compliance with applicable regulations as part of the subdivision review process.

(d) Lot Size

There is no minimum Lot size (area or width) requirement for Cluster Housing Projects. Lot sizes shall be adequate to meet all applicable standards of this Development Code.

(e) Housing Types

Add either "One-unit" or "Single family"

Detached Dwelling Units on individual lots are the only type of housing allowed in a Cluster Housing Project. The proposed **Building** envelope for all houses shall be shown on the subdivision plat with enough detail so that compliance with required **Density** and Dimensional Standards can be determined.

(f) Setbacks

- (1)** A **Setback** equal to the minimum **front Setback** of the **Base District** shall be provided along the entire perimeter of the Cluster Housing Project that is adjacent to any **Street** or right-of-way.
- (2)** A **Setback** equal to the minimum **Rear Setback** of the **Base District** shall be provided along the entire perimeter of the Cluster Housing Project that is not adjacent to any **Street** or right-of-way.
- (3)** Within the project, the distance between houses shall be at least 10 feet (to be measured in accordance with the **Setback** measurement provisions of Sec. (e).

(g) Building Coverage

The **Building** coverage standards of the **Base District** do not apply to each individual **Lot**, but the total **Building** coverage of all **Lots** (in aggregate) may not exceed the maximum **Building** coverage standard of the **Base District**.

(h) Outdoor Area

The required minimum outdoor area standard per **Dwelling Units** of the RS-5 **District** shall be provided on each **Lot**.

(i) Common Open Space

(1) Amount Required

The Cluster Housing Project shall include at least the amount of **Common Open Space** computed using whichever of the following formulas produces the largest number:

- (i)** The total area resulting from the sum of the following: the difference between the minimum **Lot Area** required for the **Base District** and the actual **Lot Area** proposed for each **Lot** in the Cluster Development; or
- (ii)** Ten percent (10%) of the total site area included in the Cluster Housing Project.

(2) Recreational Open Space

At least one-third of the proposed **Common Open Space** shall be suitable for use as and proposed for development as **Recreational Open Space**.

(3) Natural Open Space

To the maximum extent practicable, the following types of lands shall be included in the **Common Open Space** as **Natural Open Space**. To the extent that it is not practicable to include all of such areas in the **Common Open Space**, the order of types of lands included in this list shall be considered a priority list, with the first item being the most important, the last being the least important and so on:

20-915 Driveways and Access

The standards of this section apply to all **Driveways** providing **Access** to multi-Family or nonresidential uses. This seems to imply that only multi-family and non-residential uses come under this heading. This isn't the case, however, because access standards in this section seem to apply to all districts. This needs clarification.

(a) General Standards

- (1) **Access** to property is allowed only by way of **Driveways**. No other portion of the **Lot Frontage** may be used for vehicle ingress or egress, nor may any **Parking Area** or **Access** drive be arranged so that any vehicle may back directly onto a **Street**. All **Driveway** cuts into the **Street** shall require a permit from the Public Works department unless approved through site or development plan approval.
- (2) **Driveway** designs shall allow an entering vehicle turning speed of 15 miles per hour to help reduce interference with through **Street** traffic. Radii of **Driveway** shall be sufficient to achieve this standard for the types of vehicles that the **Driveway** is intended to serve.
- (3) There shall be sufficient on-site space to accommodate queued vehicles waiting to park or exit, without interfering with **Street** traffic.
- (4) Provisions for circulation between adjacent **Parcels** should be provided through coordinated planning or **Cross Access Agreements**.
- (5) **Driveways** shall be placed and designed so that loading and unloading activities will not hinder vehicle ingress or egress, and that vehicles entering the **Driveway** from the **Street** will not encroach upon the exit lane of a two-way **Driveway**. Also, a right-turning exiting vehicle shall be able to use only the first through-traffic lane available without encroaching into the adjacent through-lane.
- (6) No **Lot** that is less than 51 feet in width and that was created (by subdivision or re-subdivision) after January 24, 2005, shall have a single **Driveway Access** to a **Public Street**. **Driveway Access** to such a **Lot** shall be from an **Alley** or by a **Shared Driveway**.
- (7) **Driveways** shall intersect the **Street** at right angles.

(b) Turn Lanes and Tapers

Turn lanes and tapers are required, unless determined to be unnecessary by the City Engineer, when:

- (1) driveways intersect **Arterial Streets**. Turn lanes shall be a minimum of 150 feet in length plus the taper;
- (2) driveways serving non-residential uses intersect **Collector Streets**. Left-turn lanes shall be a minimum of 100 feet in length plus the taper. Right-turn lanes shall be required when the projected or existing right-turning volume equals or exceeds 100 vehicles per hour;
- (3) the City Engineer determines, based on a traffic impact analysis, that such treatment is necessary to avoid congestion and/or unsafe conditions on the public **Street**.

Does this apply to single family homes in RS3 Districts and cluster developments, also?

(a)	Installation	10-13
(b)	Maintenance, Replacement and Enforcement	10-14

20-1001 General

(a) Purpose

The regulations of this article are intended to:

- (1) maintain the City's quality, heritage and character by enhancing its visual appearance through the use of [Landscaping](#);
- (2) enhance environmental conditions by providing shade, air purification, oxygen regeneration, groundwater recharge, filtering of stormwater runoff, abatement of noise, glare and heat;
- (3) replenish the local stock of native trees by encouraging the use of plant materials that are native to or generally suitable for planting in the region;
- (4) [Screen](#) large off-[Street Parking Areas](#) and other unsightly equipment and materials from view of persons on [Streets](#) or adjoining properties;
- (5) buffer incompatible uses;
- (6) help prevent light spillover; and
- (7) preserve and protect mature stands of existing trees, where the trees have a minimum [Caliper](#) of 12" or larger, and natural landscape features from destruction and removal.

(b) Applicability

Unless otherwise expressly stated, the [Landscaping](#) and [Screening](#) standards of this article apply to any of the following:

- (1) the construction of any [Principal Building](#);
- (2) the addition to or enlargement of any [Principal Building](#) by more than ten percent (10%) of its existing gross [Floor Area](#) (or smaller additions if the aggregate area of such additions over a period of 18 months exceeds the ten percent (10%) threshold);
- (3) the addition to or enlargement of any [Principal Building](#) by more than 2,500 square feet (or smaller additions if the aggregate area of such additions over a period of 18 months exceeds 2,500 square feet);
- (4) the construction or installation of any surface [Parking Area](#) containing 5 or more off-[Street Parking Spaces](#) (or smaller additions if the aggregate of such additions over a period of 18 months triggers the 5-space threshold);
- (5) all areas of a site or development that are not covered by [Buildings](#) or [Impervious Surfaces](#); and
- (6) a change in use of the property that requires rezoning to a more intensive zoning classification or Special Use approval.

Please note that there are no landscaping standards for these areas. The only standards are for street trees, parking lots, and bufferyards.

- (5) placement and illumination of outdoor vending machines, telephones, and similar outdoor services and activities;
- (6) additional [Landscaping](#) and buffering;
- (7) height restrictions to preserve light and privacy and views of significant features as viewed from public property and rights-of-way;
- (8) preservation of natural lighting and solar [Access](#);
- (9) ventilation and control of odors and fumes; and
- (10) paving or other surface treatment for dust control.

(b) Height Limit on Projects Adjoining Certain Residential [Zoning Districts](#)

See 20-602(h)(2) for height limits in the PD district.

(c) Implementation of Sensitive Land Standards

(1) Applicability of Environmental Design Standards – Generally

The provisions of this Article regarding environmental protection for sensitive lands shall apply to all construction and development in all RS and RM Districts, except as expressly exempted in this paragraph (c).

(2) Applicability of Environmental Design Standards – Effect on Development Type

(i) Principle

If a significant portion of a proposed development, as specified in this sub-section B, consists of lands falling in the following categories, any proposed development may proceed only in accordance with the processes allowed by this sub-paragraph (2). Lands affected by this section shall include the following lands:

- a. Floodways
- b. Jurisdictional [Wetlands](#)
- c. [Stream Corridors](#)
- d. Stand of Mature Trees or Individually Significant Mature Trees
- e. Archeological and Historic Sites

(ii) Determination of Development Land Area

In determining whether a portion of a proposed development consists of sensitive lands, all contiguous lands under the same [Ownership](#) or control shall be considered. Lands owned or controlled by a partnership, trust or corporation under the same effective control shall be considered, along with lands owned directly by the applicant and lands under option to the applicant or a partnership, trust or corporation under the effective control of the applicant.

This reference still needs correcting. This refers to height limits in RM districts adjacent to RS districts, not to PD districts.

PLEASE NOTE: THIS HAS BEEN SUGGESTED FOR CORRECTION..

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20-1301 General

(a) Summary of Procedures

The following table provides a summary of the procedures in this article. In the event of conflict between this summary table and the detailed procedures in this Development Code, the detailed procedures govern.

Procedure	Review and Decision-Making Bodies				Notice
	Staff	PC	BZA	CC	[2]
Text Amendments (§ 20-1302)	R	<R>		DM	N
Zoning Map Amendments (§ 20-1303) [3]	R	<R>		DM	N/P/M
Planned Developments (§ 20-1304)					
Preliminary Development Plan	R	<R>		DM	N/P/M
Final Development Plan	DM		Added:	<A>	M
Site Plan Review (§ 20-1305)	DM	<A>[4]	(Deleted)	<A> [4]	§ 20-1305(f)M
Special Uses (§ 20-1306)	R	<R>		DM	N/P/M
Zoning Variances (§ 20-1307)	R		<DM>		N/M
Written Interpretations (§ 20-1309)	DM		<A> [5]		
Appeals of Administrative Decisions (§ 20-1310)			<DM>		N/M

PC = Planning Commission • BZA = Board of Zoning Appeals • CC = City Commission

When no local appellate body is specified, appeals are taken to court.

<>= Public Hearing Required

[1] R = Review Body (Responsible for Review and Recommendation); DM = Decision-Making Body (Responsible for Final Decision to Approve or Deny); A = Authority to hear and decide appeals of Decision-Making Body's action.

[2] Notices: N = Newspaper (published); P = Posted (signs); M = Mailed (See sub-section. (q) of this section)

[3] See Sec. 20-308(d) for special procedures applicable to UC, Urban Conservation District zoning map amendments.

[4] Planning Commission is authorized to hear and decide appeals of Planning Director's decision on Site Plans. Appeals are taken to City Commission only when Planning Commission's decision is appealed

[5] Appeals processed as "Appeals of Administrative Decisions."

(h) Protest Petitions

A valid protest petition opposing a zoning map amendment may be submitted to the City Clerk within 14 days of the conclusion of the [Planning Commission's](#) public hearing.

- (1)** A protest petition will be considered "valid" if it is notarized and signed by the [Owners](#) of 20% or more of:
 - (i)** the land area included in the proposed amendment; or
 - (ii)** the total real property within the area required to be notified of the proposed rezoning, excluding [Streets](#) and [Alleys](#).
- (2)** In the case of joint [Ownership](#), all [Owners](#) shall sign the petition.
- (3)** For the purpose of determining the sufficiency of a protest petition, if the proposed rezoning was requested by the [Owner](#) of the specific property subject to the rezoning, or the [Owner](#) of the specific property subject to the rezoning does not oppose in writing such rezoning, such property shall be excluded when calculating the total real property within the area required to be notified.

(i) Effective Date

The zoning map amendment will become effective upon publication of the adopting ordinance.

(j) Limitation on Successive Petitions

- (1)** Withdrawal of an original petition after it has been advertised for public hearing shall constitute denial of the application as if the public hearing had been held and concluded;
- (2)** A successive petition shall not be accepted for a period of twelve (12) months from the date of City Commission denial of the original petition unless a successive petition is substantially different from the original petition that was denied;

- (3)** A successive petition shall not be accepted until 120 days after the date of the City Commission denial and then will only be accepted if substantially different from the original petition. The threshold for measuring substantially different shall be based on meeting one or more of the following criteria:
 - a.** A different zoning district category has been petitioned for;
 - b.** The same zoning district category has been petitioned for and the Density of use is at least 25% greater or less than the original petition;
 - c.** The same zoning district category has been petitioned for and the intensity of use is at least 25% greater or less than the original petition; or
 - d.** Specific responses to the reasons for denial set forth in the findings of fact by the City Commission are, in the opinion of the Planning Director, addressed in the resubmission.

This still is illogical, but will probably be changed later.

It is illogical because conventional districts cannot allow use changes that are greater or lesser than the district already allows. Uses can be lesser, but are not binding on the property.

There should be a limit on changing the building type, bulk and location.

- (ii) Increase by more than 10 percent (10%) the total **Floor Area** proposed for non-residential or commercial uses; nor,
- (iii) Increase by more than 5 percent (5%) the total ground area covered by **Buildings** nor involve a substantial change in the height of **Buildings**.

Add: "use, building type, bulk and/or locations."

(3) Consistency with Preliminary Development Plan; Major Changes

A Final Development Plan will not be considered complete and ready for processing if all approved conditions have not been met or if the Final Development Plan constitutes a Major Change from the approved Preliminary Development Plan. Major Changes may be made only after rehearing and reapproval of the Preliminary Development Plan, and the **Planning Director** shall notify the applicant of the provisions of this section.

(4) Major Changes

A Major Change is one that:

- (i) increases the proposed gross residential **Density** by more than 5 percent (5%);
- (ii) involves a reduction in the area set aside for **Common Open Space** in general, or **Recreational Open Space** or **Natural Open Space** in particular, or the substantial relocation of such areas;
- (iii) increases by more than 10 percent (10%) the total **Floor Area** proposed for nonresidential uses;
- (iv) increases by more than 5 percent (5%) the total ground area covered by **Buildings**;
- (v) changes a residential use or **Building** type;
- (vi) increases the height of **Buildings** by more than 5 feet; or
- (vii) represents a new change to the Preliminary Development Plan that creates a substantial adverse impact on surrounding **Landowners**.

How do you describe changing four 12-unit apartment buildings to one 50-unit apartment? This should be one of the criteria that describes a Major Change.

(5) Review and Action by **Planning Director; Appeals**

- (i) Within 45 days of the filing of a complete Final Development Plan application, the **Planning Director** shall review and take action on the Final Development Plan. The **Planning Director** shall approve the Final Development Plan if it complies with the approved Preliminary Development Plan, all conditions of Preliminary Development Plan approval and all applicable standards of this Development Code. If the submitted Final Development Plan does not so comply, the **Planning Director** shall disapprove the Final Development Plan and advise the **Landowner** in writing of the specific reasons for disapproval.
- (ii) In the event that the **Planning Director** does not approve the Final Development Plan, the **Landowner** may either: (1) resubmit the Final Development Plan to correct the plan's inconsistencies and deficiencies, or (2) within 45 days of the date of notice of refusal, appeal the decision of the **Planning Director** to the City Commission. In the event such an appeal is filed, a public hearing before the City Commission

This apparently has been changed. It seems to have been changed to having the appeal go only to the City Commission. Will have to check.

(h) Staff Review/Action

The [Planning Director](#) will review each Site Plan application and, within 20 working days, the [Planning Director](#) shall take one of the following actions:

- (1) approve the Site Plan application;
- (2) identify those modifications that would allow approval of the Site Plan application;
- (3) approve the Site Plan application with conditions; or
- (4) disapprove the Site Plan application.

(i) Notice of Decision

Notice of the decision, including the [Planning Director's](#) findings and basis for decision in light of the criteria of Section 20-1305(j), shall be mailed to the applicant and all other parties who have made a written request for notification.

(j) Approval Criteria

In order to be approved, a Site Plan shall comply with all of the following criteria:

- (1) the site plan shall contain only platted land.
- (2) the site plan shall comply with all standards of the City Code, this Development Code and other adopted City policies and adopted neighborhood or area plans.
- (3) the proposed use shall be allowed in the [District](#) in which it is located or be an allowed nonconforming use;
- (4) vehicular ingress and egress to and from the site and circulation within the site shall provide for safe, efficient and convenient movement of traffic not only within the site but on adjacent roadways as well and shall also conform with adopted corridor or [Access Management](#) policies; and,
- (5) the site plan shall provide for the safe movement of pedestrians on the subject site.

(k) Appeals


- (1) Appeals of the [Planning Director's](#) decision on a Site Plan application may be taken to the [Planning Commission](#) by filing a notice of appeal with the [Planning Director](#). Appeals shall be filed within 9 working days of a decision to approve or disapprove a Site Plan application.
- (2) Appeals of the [Planning Commission's](#) appellate decision may be taken to the City Commission by filing a notice of appeal with the [Planning Director](#). Appeals shall be filed within 9 working days of a decision to approve or disapprove a Site Plan application.

(l) Right to Appeal

The following persons and entities have standing to appeal the action of the [Planning Director](#) or [Planning Commission](#) on applications for Site Plan approval:

- (1) the applicant;

What if a site plan is only part of a lot?



not involving structural aspects of a [Building](#), location of a [Building](#) on a [Lot](#), [Lot](#) dimensions or land or [Building](#) use.

(b) Increase prohibited

It is the intent of this Development Code to encourage the reduction of these other types of nonconformities to the maximum extent feasible as [Buildings](#), [Lots](#) or [Parking Areas](#) are redeveloped or expanded. The extent of the noncompliance with applicable regulations may not be increased or modified in any manner that would increase the degree of nonconformance.

20-1506 Registration of Nonconformities

(a) Rights Conditional

The rights given to those using or owning property involving a nonconformity are specifically conditioned on the registration of the nonconformity with the [Planning Director](#).

(b) Registration Process

The [Planning Director](#) shall establish a process for the registration of nonconformities and publish notice of the registration requirements by arranging for notices to be included with municipal utility bills or through other effective means of giving actual notice.

(c) Registration Deadlines

For nonconformities existing on January 24, 2005, [Landowners](#) will have until January 20, 2005 to register nonconformities with the [Planning Director](#).

- (1)** For nonconformities arising because of an amendment to this Development Code or because of a change in jurisdictional boundaries, [Landowners](#) will have one year from the date on which the nonconformity first became nonconforming to register it.
- (2)** Subject to the verification procedures established by the [Planning Director](#), nonconformities so registered will be deemed to be nonconformities, to the extent documented on the registration form. All rights to continuance, maintenance, repair and other continuation of the nonconformity apply.

(d) Effect of Not Registering; Appeals

The [Planning Director](#) and all other City officials may not permit the expansion, repair, maintenance or continuation of nonconforming status for a nonconformity not registered in accordance with this section. An aggrieved party may appeal such denial to the Board of Zoning Appeals. The Board of Zoning Appeals may grant late registration status to the nonconformity, in which case the [Owner](#) is entitled to all of the rights accorded to the nonconformity as though it were registered in accordance with the requirements of this article, if it finds that:

- (1)** the failure to register the nonconformity occurred because the [Owner](#) was unaware that the situation was nonconforming or from excusable neglect; or
- (2)** the nonconformity was lawful on the date that the provisions of this Development Code first became applicable to it or is otherwise entitled to protection under this article.

This is obviously a mistake but it gave us a good laugh!

This section is being changed.

- (2) owned or being developed by a person who owns, developed or otherwise caused an uncorrected violation of a provision of this Development Code or of a condition or qualification of a permit, certificate, approval or other authorization previously granted by the City.

(b) Approval of Permits & Approvals with Conditions

Instead of withholding or denying a permit or other authorization, the official with authority to approve the permit or authorization may grant such authorization only if adequate assurances are in place to ensure correction of the violation and provided that granting the permit or authorization will not compromise the public health, safety or general welfare.

(c) Revoke Permits & Approvals

Any permit or other form of authorization required under this Development Code may be revoked by the [Codes Enforcement Manager](#) or by any City official with authority to issue such permit when the [Codes Enforcement Manager](#) or other City official determines: (1) that there is departure from the plans, specifications, or conditions as required under terms of the permit, (2) that the development permit was procured by false representation or was issued by mistake, or (3) that any of the provisions of this Development Code are being violated.

- (1) Where permits are mistakenly issued, an applicant will be entitled to appeal the permit revocation to the Board of Zoning Appeals.
- (2) Written notice of revocation shall be served upon the [Owner](#), the [Owner's Agent](#) or contractor, or upon any person employed on the [Building](#) or [Structure](#) for which such permit was issued, or shall be posted in a prominent location, and thereafter construction shall stop.

(d) Stop Work

Whenever a [Building](#) or part thereof is being constructed, reconstructed, altered or repaired in violation of this Development Code, the [Codes Enforcement Manager](#) may order the work to be immediately stopped.

- (1) The stop-work order shall be in writing and directed to the person doing the work. The stop-work order shall State the specific work to be stopped, the specific reasons for the stoppage, and the conditions under which the work may be resumed.
- (2) Violation of a stop-work order constitutes a misdemeanor.

(e) Revoke Plans or Related Approvals

Where a violation of this Development Code involves a failure to comply with approved plans, or conditions to which the approval of such plans was made subject, the City may, upon notice to the applicant and other known parties in interest (including any holders of [Building Permits](#) affected), revoke the plan or other approval or condition its continuance on strict compliance with this Development Code, the provision of financial security to ensure that construction is completed in compliance with approved plans, or such other conditions as the City may reasonably impose. Any required financial security shall be in a form approved by the City.

This loophole is still here! WHAT ARE ADEQUATE ASSURANCES? Unless these are defined, all of the other provisions of this enforcement Article will be subject to arbitrary administration, and will render the ordinance difficult to enforce because of precedences.

Appendix – Planning Acronyms

A	AASHTO	American Association of state Highway & Transportation Officials
	ADA	Americans with Disabilities Act (1990)
	ADT	Average Daily Traffic (or Average Daily Trips)
	AICP	American Institute of Certified Planners
	APA	American Planning Association
	APF	Adequate Public Facilities
	APWA	American Public Works Association
B		
	BID	Business Improvement District
	BOCC	Board of County Commissioners
	BOCA	Building Officials and Code Administrators, International
	BZA	Board of Zoning Appeals
C		
	CAVE	(Pronounced Cavie) Citizens Against Virtually Everything
	CBD	Central Business District
	CBDG	Community Development Block Grant
	COA	Certificate of Appropriateness
	CMP	Corrugated Metal Pipe or Construction Management Plan
	CF/S	Cubic Feet per Second
	CHAS	Comprehensive Housing Affordability Strategy
	CIP	Capital Improvements Plan (or Program)
	CMAQ	Congestion Mitigation and Air Quality Program
	CMSA	Consolidated Metropolitan Statistical Area (see also MSA, SMSA, PMSA)
	CO	Certificate of Occupancy
	COG	Council of Governments
D		
	DOT	Department of Transportation (US)
	DRI	Developments of Regional Impact
	DU	Dwelling Unit
	DU/AC	Dwelling Units per Acre
E		
	EIS	Environmental Impact Statement
	EMF	Electromagnetic Field
F		
	FAA	Federal Aviation Administration
	FAR	Floor Area Ratio
	FCAA	Federal Clean Air Act
	FCC	Federal Communications Commission
	FEMA	Federal Emergency Management Agency
	FHA	Federal Housing Administration
	FHWA	Federal Highway Administration
	F.I.R.E.	Finance, Insurance and Real Estate
	FTA	Federal Transit Administration
G		
	GFA	Gross Floor Area
	GM	Growth Management
	GIS	Geographic Information Systems
	GLA	Gross Leasable Area
	GPS	Global Positioning System
H		
	HTF	Housing Trust Fund
	HUD	US Department of Housing and Urban Development
I		

What is the acronym for
City Commission?

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Do you plan to have a section on permits? Building permits, Occupancy Permits?